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June 3, 1998

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FCC MAIL ROOM

Magalie R. Salas, Secretary
Federal Communications Commission
1919 M Street NW, Room 222
Washington, D.C. 20554


RE: CC Docket No. 98-56, RM-9101, Notice of Proposed Rulemaking in the Matter of Performance Measurements and Reporting Requirements for Operating Support Systems, Interconnection, and Operator Services and Directory Assistance, Comments of the Washington Utilities and Transportation Commission.

Dear Ms. Salas:

Pursuant to the Federal Communications Commission's Notice in the above referenced proceeding, enclosed for filing are an original and nine copies of the comments of the Washington Utilities and Transportation Commission. We are also filing copies with International Transcription Services, Inc., and Ms. Janice Myles in the Common Carrier Bureau.

Please contact Tom Wilson at (360)-664-1293, tomw@wutc.wa.gov, if you have any questions about this filing.

Sincerely,


GREGORY J. TRAUTMAN
Assistant Attorney General

GJT:kl
Enclosures

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CC Docket No. 98-56
FCC 98-72

Performance Measurements and Reporting Requirements for Operations Support Systems Interconnection, and Operator Services and Directory Assistance.

JUNE 2, 1998

Summary

The WUTC endorses the FCC's proposal to adopt model, non-binding operations support systems performance measurement and reporting guidelines to facilitate state implementation, monitoring, and enforcement of nondiscriminatory interconnection and to ensure that incumbent local exchange companies do not discriminate against their competitors in their own favor. FCC rules should not preclude states from developing their own sets of additional measures and procedures. Operations support system performance measurements are a valuable tool for states to use in implementing their authority over carrier to carrier quality of service requirements. Detailed comments on specific technical issues raised in the Notice are provided.

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I. Introduction

Our staff have worked for four months together with the staff at several other state regulatory utility commissions in the 14 state U S WEST region to develop an understanding of operation support system performance measurement issues. Various pieces of the technical detail in this comment were co-authored cooperatively by the multi-state staff group. This underscores the need for cooperation between jurisdictions to implement meaningful operational support system performance measures. We believe it is important for there to be national non-binding guidelines for uniform measurements and a national database to facilitate state efforts to do operations support systems compliance monitoring and enforcement. States have responsibility for service quality levels, monitoring and enforcement. We see the FCC guidelines as a valuable tool for states to use as they deem appropriate within their local jurisdictions, to be augmented with state specific rules as necessary. Therefore, we endorse the proposal to establish model, non-binding operations support system performance measurements and reporting requirements. The bulk of our comments focus on the technical details of the proposal.

II. Detailed Comments

The WUTC hereby offers the following detailed comments in response to the issues raised in the Notice of Proposed Rulemaking. We make reference to the paragraph numbers in the NPRM throughout for the reader's convenience.

Purpose of the Proceeding

Paragraph 15.

Reporting may provide some incentives, but a better incentive will be measurements that have financial penalties for non-compliance with state requirements. The FCC's jurisdiction is limited to interstate matters. Issues involving anti-competitive discrimination by the incumbent local exchange company against new competitors seeking interconnection are best dealt with by the state authority with jurisdiction over local matters, which is the state commission.

Paragraph 17.

It may be necessary to adopt performance and/or technical standards on certain measurements at the state level. Industry-set standards are preferred as a starting point in developing measurements rather than individual contracts (or interconnection agreements, which by themselves may be discriminatory.)

Role of the Commission and States

Paragraph 23.

A national, non-binding set of measurement guidelines would give each state the ability to monitor discrimination in its jurisdiction, and to compare that performance with other jurisdictions. With large, regional operating companies crossing state boundaries such data is

critical to ensure comparable benefits from competition for all consumers without regard to the state in which they are located.

With non-binding national operations support system performance measurements guidelines and reporting requirements, each state could monitor performance between its state and other states where the same incumbent operates. Also, a state could monitor the performance of local incumbents against the performance of other incumbents in other parts of the country. This would provide states important information to enforce nondiscriminatory performance and make sure that not only does the incumbent treat its competitors as well as it treats itself, but that service quality levels are reasonable. It is important to have uniformly collected and homogeneous data for such analysis. We recognize that different states have different rules governing end user service quality and therefore comparative analysis of carrier to carrier service quality should take this into account.

Without uniform guidelines, statistically significant analysis crossing jurisdictional boundaries would be confounded. Consequently, it would be impossible to evaluate claims of interconnection discrimination in many cases. Such impediments to enabling competition must be addressed.

Paragraph 26.

The FCC applauds state efforts to develop model non-binding performance measurements and reporting requirements. The FCC should also recognize that the states are not doing their work in isolation either. Many states do not have the regulatory resources to perform this type of

work on their own, and must survey what others have done and/or try to synthesize a solution from the borrowed efforts of others.

Proposed Performance Measurements and Reporting Requirements

- General Issues, Balance Between Burdens and Benefits:

Paragraph 27

The FCC's proposed level of disaggregation for measurement categories should be adequate to detect discrimination. This proposal appears to be a compromise between CLEC (LCUG) desired disaggregation levels and the ILEC's desired levels of disaggregation. A key component in determining the burden on ILEC's for reporting this data will depend on their individual capacity to collect this data via electronic coding.

Paragraph 34.

The reports should make use of statistical measurements whenever possible. Use of averages alone, tend to mask the extreme instances of severe problems. Therefore, the report should include the average, median, and standard deviation statistics for the data. In some instances, such as, with held service orders, additional data will be necessary so that trends may be tracked over time.

Paragraph 37.

It would be useful to see ILECs statistics on a regional basis so that state-by-state comparisons are possible.

Geographic Level of Reporting

Paragraph 38.

Within a state, the data should be disaggregated by local areas, such as by MSA (first tier cities), SMSA (second tier cities), and rural areas. In many cases both service availability, repair response, and service quality differ significantly between rural and metropolitan areas.

Therefore, a competitor in a high density area should be compared with other metropolitan area results, and a competitor in a rural area should be compared with rural results.

OSS performance measurements need to be reported on a geographical level which will facilitate meaningful analysis. Reporting data on a broad geographical basis would make it difficult to compare individual markets within a region or state. Using LATAs as a geographical reporting basis would allow for the comparison of OSS performance in different markets.

ILECs may already report certain data on the basis of internal geographic divisions within a state or region. If this is so, it may be more efficient to report this data on the basis of existing geographical divisions.

Scope of Reporting

Paragraph 39.

CLECs must be able to identify areas of discrimination with regard to the provision of operating support systems, interconnection and operator services and directory assistance. We agree with the scope of the four levels of reporting, except that we prefer the fourth item (individual competing carriers), be made available only to the state commissions, or also to the individual competitor by request.

Relevant Electronic Interfaces

Paragraph 40.

We concur with the FCC's tentative conclusion. The reporting of performance measures should be disaggregated by interface type.

Proposed Measurements - Ordering and Provisioning Measurements - Disaggregation of Data

Paragraph 46.

When standards are adopted they generally have the impact of setting acceptable performance levels expected by customers. Through a series of extended tests, measurements,

and interviews, the former Bell Laboratories (Bellcore) and other industry and international standards organizations, have found minimal acceptable levels of performance for various services in the telephone industry. When these performance levels are violated, varying degrees of annoyance are generally exhibited by consumers, resulting in complaints. If the performance levels are met, customers are generally satisfied and are not likely to change carriers due to service quality.

Therefore, in some instances it will be necessary to measure performance and quantify instances where performance does not meet the standard. At the same time it may not be relevant to require detailed performance measures in instances where the standard is met, simply because good performance will not influence customer decisions. An example of where this philosophy should be applied is in the measurement of trunk congestion. A customer will exhibit dissatisfaction with service levels when trunk blockage rates above 1% (B.01) are encountered. The degree of dissatisfaction will be directly proportional to the amount (or percentage) of blocking. Therefore, both the level of blocking and the number of trunks affected, should be measured. On the other hand, any blockage levels below 0.5% (B.005) may be ignored.

Order Completion Measurements

Paragraph 54.

Held service orders should be compiled by interval windows, and descriptive statistics including average/median/standard deviation, and sums should be reported using the same

methods. Data must also be split out by areas (metro vs. rural , etc.), or by individual exchange.

Paragraph 56.

Held service orders are often the result of the lack of facilities (and sometimes even over disputes about who should be responsible for paying for the facilities and the cost). It is also important to determine whether the incumbent carrier is treating its own customers in a similar fashion, or if they are placing new facilities without delay for their own customers.

Average Interval for Held Orders

Paragraphs 65 -67.

“Held Order” definition -- A customer application for the establishment of primary basic local telecommunication service, second lines, or regarded residential or business service that cannot be met within five (5) calendar days due to the lack of transport, loop and switch facilities to meet the customer’s request.

Installation orders for basic local telecommunication service :

Service objective - ninety percent (90%) of such orders shall be installed within five (5) business days after the customer ordered the service unless the customer proposes another time. The percentage need not include orders from customers who have specifically requested that service be installed on a later date. If the telecommunication provider has not provided basic local service within five business days of request, it is considered a “Held Order”.

Monitoring criteria - An accounting of all "Held Orders" shall be provided via a monthly monitoring report sent no later than 15 working days following the end of the month. For purposes of measuring this standard; service installation orders include, new or transferred residential or business service, or additional lines (up to four), or five total, but do not include change orders and/or requests for features to be added.

Paragraph 66.

Intervals should be included in the held service order reporting as situations may change over time, or certain customers or groups of customers may take longer to provide service to than others. We suggest listing number of orders held between 0 - 5 days, 6 - 30 days, 31 - 60 days, 61 - 90 days and orders held more than 90 days.

Installation Troubles

Paragraph 68.

Order accuracy should not be measured, the accuracy of the order can be argued on both sides and will produce a finger-pointing scenario. Additionally, the accuracy of the order does not necessarily result in a held order, there are many other factors that contribute to orders being held. Held Orders, defined above, are tracked and can be easily determined by the LEC.

Paragraph 69.

Thirty day intervals should be used to account for either recurring troubles, or for troubles since initial service completion.

Ordering Quality Measurements - 911 Database Update and Accuracy

Paragraph 77.

The 911/E911 databases are usually operated by an independent third party. There are concerns among operators of the emergency services with respect to the accuracy of the database. However, errors would be either caused by the ILEC, or CLEC providing the data, or possibly by the third party doing input operations. Therefore, this measurement would not likely yield any meaningful data with respect to discriminatory behavior by the incumbent.

Repair and Maintenance Measurements

Paragraph 80.

Customers will be dissatisfied with competing carrier service if they perceive that service problems are not resolved promptly or that there is a high incidence of repeated service problems associated with the competing carrier's service. Customer service must be transparent to all end user customers no matter who the carrier is.

Paragraph 81.

The four measurements that are outlined by the FCC are adequate to develop a comparative record for the purpose of determining if repair service is nondiscriminatory between companies. If the FCC chose to increase the number of measurements, the program would become onerous to administer. Likewise the adoption of fewer measurements would not provide a sufficient record of measurement.

As we understand the question, the FCC is asking whether ordering and provisioning repair and maintenance problems be included in the repair function or be disaggregated into a separate repair report The answer is no. All reports of trouble must be reported to the repair center of the LEC whether it is a trouble incurred on a new service or an existing service. It is the repair center that will separate the distinction. Provisioning trouble incurred within 30 days of the installation can be tracked by the Repair Center. U S WEST refers to the provisioning trouble as "I reports". Trouble reports on the ordering process are not tracked in the current environment. However, in the future, this category might have value.

Restoral data should be split into the 4 categories listed. However, this is another area where the data needs to be broken into metro (MSA, SMSA, etc.) and rural areas. Travel times in rural areas are typically longer and will result in distorting the data if disaggregation is not used.

Paragraph 82.

The measurement as outlined in the FCC guidelines will provide an automatic discrimination or inconsistency. Internally the LEC measures trouble reports from the time the

report is taken to the time the trouble is cleared. The technician, in the field, logs the trouble clearance time into the LEC computer system from the customers premise. The FCC has automatically imposed an additional time frame onto the "time to clear" when it requires the incumbent LEC to notify the competing carrier that the trouble is cleared. This requirement will force the LEC repair personnel to monitor the clearance of trouble and determine which troubles were those reported by competing carriers so that a report can be relayed back to them. With today's technology, the technician does not have the capability to directly report trouble clearance to the competing carrier. The condition as it is explained will automatically add time to the competing carriers trouble vs the time it takes to clear the LEC trouble, giving an appearance of discrimination.

Paragraph 83.

The measurement of thirty days is appropriate. When a trouble measurement is reported on a quarterly basis and a problem occurs, it is difficult (if not impossible) to track and investigate the root cause.

Paragraph 84.

Refer to answer provided in response to Paragraph 83. Additionally, the repeat trouble should be defined as "the same trouble as was initially reported," not a correlating trouble.

Paragraph 85.

In the current environment the LEC assigns trouble on a first come - first serve basis as the call enters the service bureau.¹ Data relating to an interconnection trunk that a particular customer might use, is not readily available to the clerk negotiating a repair schedule. If there is trouble with an interconnection trunk the LEC repair bureau would treat the reports as they do when a cable is cut or deteriorated. The bureau immediately notifies all repair personnel that there is a major cable problem (in this case an interconnection trunk) and logs all trouble associated with that cable by address or location. When the cable is repaired, all customers are generally back in service at the same time. It would be difficult to estimate a time for repair on interconnection trunks because of the variable nature of potential trunk problems and the necessity to coordinate with the interconnecting carrier. However, trouble on interconnection trunks could be logged and monitored for the purpose of developing a database that can be compared across the country. It is also important to distinguish between complaints or troubles due to an outage versus the lack of capacity (congestion).

Paragraph 86.

There are approximately 200 disposition codes that the LEC uses to identify repair problems. It would be an extreme burden on the incumbent LEC to provide monitoring reports using all 200 disposition codes. Assignment of disposition codes is very subjective. In most instances the code was assigned based on the customers explanation of the trouble their service

¹ Priority of service restoral in any event or crisis which causes or could cause harm to the population, damage property or degrades the National Security Emergency Preparedness posture of the United States is governed by FCC rules at Part 64.401.

was having (repair clerk assigns the disposition code). On the other hand, the LEC should be required to keep ongoing records of the trouble report and the disposition code assigned to each. Additionally, the LEC should be required to provide reports to the interconnecting LEC within 7 days of a request. When an audit is required, disposition codes play a vital role in determining whether a trouble should be counted against the LEC.

Paragraph 87.

Add to the exclusion list, "those inquiries that deal with telephone non-repair issues (for example: feature usage instruction, customer comments on an installation or repair, etc.)" In instances where the customer requests a ticket be "held open" for monitoring, we agree that the time period the customer requests should be excluded from measurement of trouble reports but the ticket should not be dropped from measurement. Ideally, the ticket is marked restored as of the time the circuit is back in service, and marked closed when the customer agrees to close the ticket.

Billing Measurements

Paragraph 88.

Inclusion of billing data (and usage records) for Interexchange Carriers should be required for comparison purposes.

General Measurements - Systems Availability, Center Responsiveness, Operator Services and Directory Assistance

In evaluating all three categories above the "burden versus benefit" test was applied in all cases to answer a concern about costs to develop these performance measurements. Our response is given using that premise as a basis.

Paragraph 91.

We generally concur with the proposed language. Since each of the five (5) OSS systems generally rely on a different legacy system and use a different method (interface) to gain access to said system, there is a need to have separate measurements to represent differences between available time and actual operational time(s). CLEC users of these systems many times do not have appropriate backup information (e.g., paper back-up of the repair database that they can use in the event of a major disruption), as do ILEC users, when said data bases are taken down after hours or during regular working hours for data base maintenance, or periodic updates, or system reloads. In these instances the CLEC user is in essence left without service until those systems are again brought back on the line. It is necessary to track and record those times and examine if a parity exists for the CLEC group as it does for the incumbent.

Paragraph 92.

Measurement of Center Responsiveness may be more important from the CLEC's point

of view than the availability item. We say this because many times the CLEC representative has to queue up with all of the ILEC customers who call the ILEC service centers, during both peak and off-peak times, to request services. CLEC representatives are faced with the prospect of having to interact with a nameless and faceless ACD system that often passes one to an elaborate voice mail system with a long menu of possible choices. The CLEC may actually receive treatment after all ILEC customers have been serviced rather than on a "first-in-first-out" basis, as such systems are designed to work. In addition to creating this measure of equity, there is a need to have CLECs treated different from regular ILEC customers, for example by having a different "call route" to take for handling their requests for services. We prefer the measurement of system availability also include periods when the systems are working and active, but are not accessible due to capacity limitations. A more important measure is serving bureau time, the time from phone answer to the time a technician picks up the ticket and starts analyzing the trouble.

Paragraph 93.

The FCC is correct in saying that the ILEC customer and the customer of a CLEC who resells a portion of the ILEC's switch, look the same to the switch that services the ILEC operator services system, and thus the speed of answer provided to both customers is and should be identical. Monthly reports should be shared with all providers to show that Company and regulator service objectives are being met.

Interconnection Measurements - Trunk Blockage

Paragraph 98.

Trunk congestion has been a contested topic in Washington State. Although B.01 (1% blockage) and B.005 (0.5% blockage) are important threshold levels, the level of peak loads should also be included in the data. A 50% blockage rate is far more serious than a 10% blockage rate or even a 1% rate at the threshold. Thus, if the incumbent reported that it had blockage on a trunk group, and so did the CLEC, it might appear that the service levels were the same, when indeed they could be quite different. All trunks groups exceeding the threshold should be listed, along with blockage levels and the number of call attempts during the peak busy hours. Total ILEC trunks and CLEC interconnecting trunks should also be included. Reporting should be submitted monthly, but the data should be broken into weekly segments. This measurement would not apply to high-usage trunk groups that are designed to overflow to final route trunk groups.

Interconnection Measurements - Collocation

Paragraph 102.

Measures of collocation activity may provide some information, but there is some question as to how much practical application this data may have. It is vitally critical that CLECs are able to obtain collocation space quickly in any ILEC office. It may take PUC staff

and CLECs as much as a year or more to resolve space availability issues in a major wire center. From the stand point of greater efficiency, it would be more practical to have specific dates that must be met, including a fast resolution process for mediating disputes.

Additionally, a measurement could be developed around the final negotiated date for monitoring construction completion.

Reporting Procedures

Paragraph 105.

At a minimum, all reports (on a state level) should be made available to state commissions. State commission reports should include the ILECs results, together with individual reports for each CLEC, and a CLEC report in aggregate. If requested by a CLEC, a separate report listing the ILECs results along with both the individual CLEC, and other CLECs in aggregate only should be available.

Regional teams such as the "U S WEST Regional Oversight Committee" (ROC), in the U S WEST region could be provided data on a quarterly basis so that regional reports may be compiled. Another possibility is to make use of The National Association of Regulatory Utility Commissions (NARUC) for national reporting.

Frequency of Reports

Paragraph 112.

The FCC seeks comment on the frequency in which reports should be provided to requesting competing carriers. Some state commissions collect service quality reports from U S WEST on a monthly basis. Competing carriers have no less of an interest in interconnection service quality than do regulators, thus, reports should be no less than monthly. Quarterly reporting is not sufficiently timely to allow prompt response if there is a problem.

Evaluation of Performance Measurements.

Paragraph 117.

The FCC does not need to promulgate rules setting forth an evaluation process. Evaluation of discrimination in the provision of interconnection is the state's jurisdiction, not the FCC's. States, not the FCC have jurisdiction over service quality levels. If the FCC chooses to implement a uniform evaluation process, it would only have meaning in terms of interconnection activity in the federal jurisdiction, i.e., interstate interconnections (assuming standard units of measurement so that meaningful comparisons can be made).

Small And Midsize LECS

Paragraph 131.

There are three major areas where the FCC OSS rule will pose difficulties to all but the

largest LEC: location, cost, and absence of consistent data.

A: Location:

Only the largest LECs will be capable of utilization of the centralized, extended hours, customer service center concept. All other LECs provide functions similar to OSS but at business offices located in or near their serving area. These local business offices will be operating at best in a PC computer environment and not have mainframe data base capabilities. This will limit CLEC access to small LECs customer data to dial up electronic modems and a format similar to E-mail or web site. Most of the "non large" LECs are still operating in a paper mode that will require FAX transmission and business office hour restrictions.

B: Cost:

Small LEC conversion to electronic OSS capabilities is not cost effective. A vendor quote received by one small company was for \$2 to \$3 million conversion to electronic OSS. Many small companies operate with less than 15,000 access lines. At that size, OSS implementation costs will be near \$150 per line.

C: Absence of consistent data:

The FCC establishes Large, Medium and Small Categories of LECs based on access lines. The measurement of service order efficiency is not based on the size of the company but the volume of service request activity generated by the LEC customer demand. The level of

service order activity should be the driver for compliance to any OSS requirements. The small LECs usually have a low level of service order activity. When low volumes of activity are subdivided into multiple CLEC providers, data reliability is lost. The period of measurement of data must also be flexible to allow capture of sufficient data to perform any analysis.

OSS standards for all but LECs with centralized customer service centers should be set on an exception basis independent of electronic data base availability. It will be better to have small and medium LECs modify the local electronic systems to match a paper system than force a paper system to mechanize nationally.

III. Conclusion

States have responsibility for monitoring and enforcement at the local level. The detailed comments given reflect our strong interest in this matter, and we agree with the FCC that action should be taken expeditiously. The items listed in Appendix A are acceptable.